

**SMITH, SOVIK,
KENDRICK & SUGNET, P.C.**

ATTORNEYS AT LAW

250 SOUTH CLINTON ST., SUITE 600
SYRACUSE, NEW YORK 13202-1252

FACSIMILE: 315-474-6015

STEVEN WARD WILLIAMS
Voice Mail Extension 108
swilliams@smithsovik.com

VIA FACSIMILE

Honorable Richard M. Berman
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Livingston v. Keya Morgan a/k/a Keyarash Maznani, et al
07 CV 7835 (RMB) (KNF)

Dear Judge Berman:

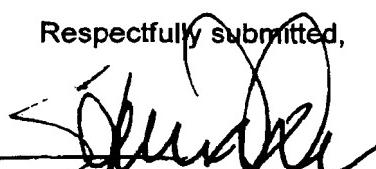
This matter is scheduled for a conference with your honor tomorrow. It was previously scheduled for a conference on October 2, 2007; however, it was adjourned at my request. I requested the adjournment because my client intended to amend the complaint and serve both the original and amended complaints simultaneously.

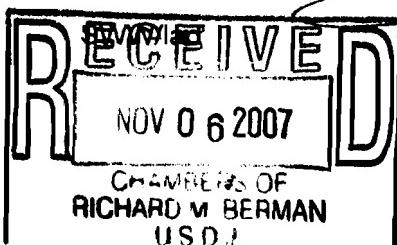
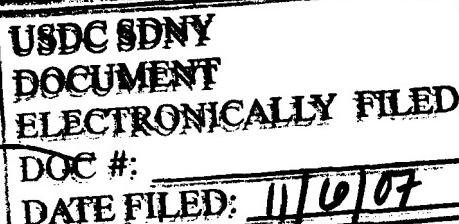
I experienced a death in the family on October 8, 2007, which had me out of the office for a period of time. That delayed the drafting of the amended complaint. Further, we had trouble identifying the defendant's correct address for effectuation of service. The amended complaint has now been drafted and we now believe we have a solid address for the defendant. I therefore anticipate the original and amended complaints being served on defendant later this week or early next week.

Based on the forgoing, I respectfully request that the conference scheduled for tomorrow be adjourned one last time. I fully realize the inconvenience this imposes upon the Court, and I apologize for same. I am available November 29 and 30, and December 5 & 6 should your Honor chose to grant this request. If those dates are not acceptable, I will of course accommodate the scheduling needs of the Court.

Thank you for your attention to this matter.

Respectfully submitted,


Steven W. Williams



ALFA
AMERICAN LAW FIRM
ASSOCIATION

JOHN TIMOTHY SMITH (1803-1864)
NELSON J. SMITH (1823-1907)
MARTIN F. KENDRICK (1917-1993)
LAURENCE SOVIK (1904-1994)

WILLIAM E. SUGNET, RETIRED
JAMES A. O'SHEA, RETIRED

LAURENCE F. SOVIK
JAMES D. LANTIER
MICHAEL P. RINGWOOD
KEVIN E. HULSLANDER
ERIC G. JOHNSON

STEVEN WARD WILLIAMS
MARY KENDRICK-GAFFNEY
JAMES W. CUNNINGHAM
ROBERT P. CAHALAN
PATRICK B. SARDINO
BRANDON R. KING
GABRIELLE MARDANY HOPE
KRISTEN M. BENSON
DAVID A. D'AGOSTINO
ALICIA M. TISDELL
DANIEL R. RYAN
KELLY C. MURRAY
SUZANNE K. LEHMAN


Richard M. Berman, U.S.D.J.